

United States District Court

for

District of New Jersey

Amended Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Nicholas L. Layton

Docket Number: 12-00225-001

PACTS Number: 60991

Name of Sentencing Judicial Officer: THE HONORABLE PETER G. SHERIDAN
SENIOR UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 08/27/2012

Original Offense: Count One: Narcotics – Possession with Intent to Distribute more than 5 Grams of
Methamphetamine

Original Sentence: 48 months imprisonment, 60 months supervised release

Special Conditions: Substance Abuse Testing, Alcohol Treatment, Drug Treatment, Financial Disclosure,
Life Skills Counseling, Emp. Restriction, Special Assessment

Type of Supervision: Supervised Release

Date Supervision Commenced: 12/21/2015

Assistant U.S. Attorney: Michelle Gasparian, 402 East State Street, Room 430, Trenton, New Jersey
08608, (609) 989-2190

Defense Attorney: George R. Saponaro, Esq., The Newbold House, 27 Cedar Street, Mount Holly, New
Jersey 08060, (609) 518-1256

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p>The offender has violated the mandatory supervision condition which states 'You must not unlawfully possess a controlled substance.'</p> <p>On December 17, 2018, Mr. Layton was stopped for the traffic violation of following too closely by law enforcement officials in Crawford County, Arkansas. Following this traffic stop, Mr Layton was arrested by Arkansas State Troopers and charged with being in possession of 7.7 pounds of methamphetamine after the drugs were found in a car which he had rented.</p>
2	<p>The offender has violated the standard supervision condition which states 'You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the Court or the probation officer.'</p>

Mr. Layton's arrest occurred while he was in Arkansas. He did not have permission to leave the District of New Jersey to travel to Arkansas. His business in Arkansas remains unknown.

- 3 The offender has violated the standard supervision condition which states '**You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).**'

On July 22, 2019, the probation office received information from the New Jersey State Police that there had recently been a raid on this offender's residence, as well as one of his storage trailers. Both the residence and the trailer contained various contraband items, including a total of five assault rifles (three of which have been identified as "ghost guns" and are unable to be traced), traces of methamphetamine, and various explosive devices.

- 4 The offender has violated the standard supervision condition which states '**You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.**'

On July 22, 2019, when the probation office was informed of the raid which was conducted on the offender's residence, the residence of note was at the address of 54 White Street in Mt. Holly, New Jersey. This was not a residence ever shared with the probation office and was not the offender's address of record.

- 5 The offender has violated the standard supervision condition which states '**After initially reporting to the U.S. Probation Office, you will receive instructions from the Court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.**'

Following attempts to reach out to the offender with instructions to report, there has been no response from the offender and his current whereabouts are unknown.

- 6 The offender has violated the mandatory supervision condition which states '**You must not unlawfully possess a controlled substance.**'

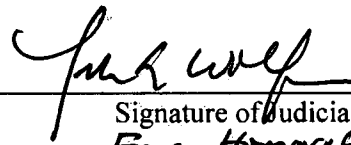
According to the New Jersey State Police, at least three controlled drug purchases were made successfully from the offender for methamphetamine.

I declare under penalty of perjury that the foregoing is true and correct.

By: Shawn M Leakan
U.S. Probation Officer
Date: 07/22/2019

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____. (as recommended by Probation)
☐ No Action
☐ Other



Signature of Judicial Officer
For Honorable Peter G. Sheridan

7/24/19

Date